

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marvin L. Hughes,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 1:10cv91
vs.	:	
	:	Chief Judge Susan J. Dlott
Warden, Chillicothe Correctional Institution,	:	
	:	
Respondent(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael R. Merz filed on April 27, 2011 (Doc. 13), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 16, 2011, hereby ADOPTS said Report and Recommendation.

Accordingly, based on the analysis of the Report and Recommendation it is **ORDERED** that the petition is **DISMISSED** with prejudice. Since reasonable jurists would not disagree, the petitioner is **DENIED** leave to appeal *in forma pauperis* and any requested certificate of appealability.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court